

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

LOUIS FRANCK, LI ZHEN FENG,  
YERALDIN REYES, CHARISMA BARBER,  
CASSONDRA FLOYD, and ELIZABETH  
GUERRERO,

Individually and on Behalf of All Others  
Similarly Situated,

Plaintiffs, Case No. 21 Civ. 4955 (GHW) (JLC)

v.

NEW YORK HEALTH CARE INC., MURRY  
ENGLARD, and GLEN PERSAUD,

Defendants.

**PLAINTIFFS' REPLY MEMORANDUM OF LAW IN SUPPORT OF  
UNOPPOSED MOTION FOR FINAL APPROVAL OF THE CLASS AND  
COLLECTIVE ACTION SETTLEMENT AND RELATED RELIEF**

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Dated: August 30, 2024

Plaintiffs Louis Franck, Li Zhen Feng, Yeraldin Reyes, Charisma Barber, Cassondra Floyd, and Elizabeth Guerrero (“Plaintiffs”) hereby submit this Reply Memorandum of Law in support of their unopposed motion for final approval of the parties’ class and collective action settlement (ECF No. 237).

The purpose of this Reply is to provide the Court with a final update regarding the Rule 23 and FLSA Collective notice campaign. The notice period closed Tuesday, August 20, 2024, and the Settlement Administrator has now provided the parties with the latest results of the notice campaign.

To summarize, following the Court’s April 22, 2024, preliminary approval order (ECF No. 234), the parties implemented the notice campaign detailed in the preliminary approval order. Specifically, on June 21, the court-authorized notice was issued to 5,170 Class and Collective Members by U.S. Mail. The notice described the settlement terms in plain language and advised Class and Collective Members as to their rights under the Settlement Agreement, including their right to object to the settlement or exclude themselves. Class and Collective Members’ response to the settlement has been overwhelmingly positive. There have been *no objections* to the settlement and only *one* opt out (0.019% of the Class).

In sum, the parties’ hard-fought settlement achieved after more than three years of litigation has received Class and Collective Members’ ringing endorsement. The unopposed motion for final settlement approval (ECF No. 237) is now fully briefed, and we look forward to appearing at the final approval hearing on Thursday, September 12.

**CONCLUSION**

For the reasons set forth above, Plaintiffs respectfully request that the Court grant Plaintiffs' Motion and enter the proposed Order and Final Judgment, ECF No. 239-1.

Dated: August 30, 2024  
New York, New York

Respectfully submitted,

/s/ Ethan D. Roman

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Plaintiffs' Reply Memorandum of Law in Support of Plaintiffs' Motion for Final Approval of the Class and Collective Action Settlement and Related Relief, dated August 30, 2024, was served via ECF this 30th day of August 2024 upon the below-listed counsel of record.

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